MST

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.113 OF 1997

Dilip Gobind Jhangiani and ors. Petitioners
versus
Peter Sequeira and others Respondents

Mr.A.N.Narula for petitioners.
Mr.Peter Sequeira in person.

CORAM : A.S.OKA, J.

DATE : 20th April 2007

PC :

1. Heard learned counsel for the petitioners and first respondent in person. The allegation in the petition is that the first respondent has committed breach of the order of the ad-interim relief passed by the learned Judge of the Small Causes on 4th September 1997. The allegation is that the first respondent parted with possession of the suit premises in breach of the said ad-interim order.

2. The learned counsel for the petitioners has taken me through various documents which according to him show that the first respondent

MST

had parted with possession of the suit premises.

3. It is not in dispute that the interim notice on which ad-interim relief was granted was later on dismissed and ad-interim relief was vacated. Now, the suit filed by the petitioners has been dismissed and appeal preferred by the petitioners is pending. As of today, there is no dispute that the first respondent is in possession of the suit premises.

4. Considering the aforesaid circumstances, no case is made out for taking any steps against the first respondent. Notice issued is discharged. Contempt petition is disposed of.

(A.S.OKA, J.)